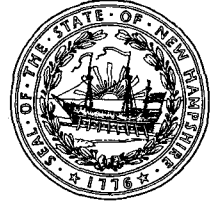




State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



LETTER OF DEFICIENCY
SP- 05-08

October 28, 2005

David Quimby
677 Tolman Pond Rd
Harrisville, NH 03450

RE: DES Wetlands File #2005-01821 West Side Rd, Harrisville

Dear Mr. Quimby:

On October 5, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Harrisville Tax Map 73 as Lot 7 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800 and RSA 483-B, the Comprehensive Shoreland Protection Act (CSPA) and NH Code of Admin. Rules Env-Ws 1400-1411.

Based on the inspection and further file review the following was documented:

1. Site has an existing deck (#1) with pergola above the top of bank measuring approximately 18 ft x 20 ft;
2. A shed is located just up slope from deck #1 measuring approximately 8 ft x 8 ft;
3. A stepped access measuring approximately 3 ft 6 in wide provides access from deck #1 to a second deck (#2) located on and in the bank which extends lakeward of normal high water to a seasonal dock;
4. The site has a second deck (#2) which measures approximately 9 ft 6 in x 21 ft 6 in;
5. A 10 ft x 10 ft ramp is located adjacent to the second deck (#2) along the north edge the shoreline;
6. A seasonal dock is present on the frontage measuring approximately 6 ft x 20 ft with a 4 ft x 2 ft walkway extending out from deck (#2);
7. The dock extends approximately 23 feet out from shore;
8. The Town of Harrisville tax card, assessment date 2003, lists the following structures on the frontage:
 - A detached deck 20 ft x 18 ft
 - A shed 8 ft x 8 ft
 - A detached deck 16 ft x 5 ft

Based on the information reviewed the size of deck #2 and the location of the seasonal dock has changed. Therefore, in response, you are requested to take the following actions:

1. Within 30 days of the date of this letter, reduce deck #2 to its original size and position and reposition the seasonal dock accordingly.
2. Within 40 days of the date of this Letter, submit photos and a letter showing removal of the deck.

October 26, 2005

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RSA 483-B, the New Hampshire Comprehensive Shoreland Protection Act, was enacted to protect and preserve the shorelands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-B and Env-Ws 1400-1411 establish minimum standards for the future subdivision, use, and development of the shorelands within 250 feet of the state's public waters.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel will conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Jeffrey D. Blecharczyk, Shoreland Compliance Coordinator
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Jeffrey D. Blecharczyk at (603) 271-6876 or by email at jblecharczyk@des.state.nh.us.

Sincerely,



Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7005 0390 0001 8424 3006

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit
Harrisville Conservation Commission
Harrisville Board of Selectmen
USACOE